

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARMION YELLOWCLOUD

Defendant.

8:16CR333

ORDER

This matter is before the court on Defendant's unopposed Motion to Continue Trial [48]. Counsel is seeking a continuance to allow the defendant to testify in USA v Silas Kitto and to finalize the plea agreement. For good cause shown,

IT IS ORDERED that Defendant's unopposed Motion to Continue Trial [48] is granted as follows:

1. The jury trial, now set for November 7, 2017, is continued to **February 6, 2018**.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 6, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 1st day of November, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge